

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

| | | |
|--------------------------|---|--|
| UNITED STATES OF AMERICA |) | |
| |) | No. 22-cr- 34-JL-1 |
| |) | |
| v. |) | Counts 1-3: Wire Fraud |
| |) | (18 U.S.C. § 1343) |
| |) | |
| ANTHONY SILVA, |) | Counts 4-6: False Representation of a Social |
| |) | Security Number |
| Defendant |) | (42 U.S.C. § 408(a)(7)(B)) |
| |) | |
| |) | Counts 7-9: Aggravated Identity Theft |
| |) | (18 U.S.C. § 1028A) |

INDICTMENT

The Grand Jury charges:

COUNTS ONE THROUGH THREE

Wire Fraud
18 U.S.C. § 1343

Background

At all times relevant to this Indictment:

1. American Express (AMEX) is a financial services company that offers credit card services.
2. AMEX maintains servers for processing credit card transactions in North Carolina and Arizona.

The Scheme and Artifice to Defraud

3. Between in or about October 2021, and continuing through in or about December 2021, in the District of New Hampshire and elsewhere, the defendant, ANTHONY SILVA, knowingly devised and intended to devise a scheme and artifice to defraud AMEX.

Silva applied for AMEX credit cards using personal identifying information of other persons, including their names, Social Security numbers, and dates of birth.

4. SILVA directed AMEX to mail the credit cards to addresses he could readily access, including his home mailing address in Hampton, New Hampshire.

5. SILVA then used the fraudulently obtained credit cards to make and attempt to make purchases at stores such as Wal-Mart, Home Depot, and Victoria's Secret.

The Offenses

6. On or about the dates listed below, in the District of New Hampshire and elsewhere, for the purpose of executing the above-described scheme and artifice to defraud, the defendant,

ANTHONY SILVA,

caused to be transmitted by means of wire communication in interstate commerce certain writings, signs, and signals. Specifically, the defendant caused the following purchases to be made using AMEX credit cards in victims' names:

| Count | Date | Victim | Store Name | AMEX Card # | Purchase Amount |
|-------|----------|--------|-------------------|-------------|-----------------|
| 1 | 10/02/21 | J.F. | Wal-Mart | -51000 | \$2,019.76 |
| 2 | 11/19/21 | C.R. | Home Depot | -81004 | \$725.00 |
| 3 | 11/21/21 | C.M. | Victoria's Secret | -81007 | \$500.00 |

All in violation of Title 18, United States Code, Section 1343.

COUNTS FOUR THROUGH SIX
False Representation of a Social Security Number
42 U.S.C. § 408(a)(7)(B)

7. The Grand Jury realleges paragraphs 1 through 5.

8. On or about the dates charted below, in the District of New Hampshire and elsewhere, the defendant,

ANTHONY SILVA,

for the purpose of obtaining for himself and any other person anything of value from any person, and for any other purpose, did, with intent to deceive, falsely represent numbers to be the Social Security number assigned by the Commissioner of Social Security to him. Specifically, SILVA used Social Security numbers to apply for AMEX credit cards when, in fact, such numbers were not the Social Security number assigned by the Commissioner of Social Security to him.

| Count | Date | Victim |
|-------|----------|--------|
| 4 | 09/22/21 | J.F. |
| 5 | 09/30/21 | C.R. |
| 6 | 10/07/21 | C.M. |

All in violation of Title 42, United States Code, Section 408(a)(7)(B).

COUNTS SEVEN THROUGH NINE

Aggravated Identity Theft

18 U.S.C. § 1028A

9. The Grand Jury realleges paragraphs 1 through 5.

10. On or about the dates charted below, in the District of New Hampshire and elsewhere, the defendant,

ANTHONY SILVA,

during and in relation to the felony violation of False Representation of a Social Security Number in violation of Title 42, United States Code, Section 408(a)(7)(B), as charged in Counts 4, 5, and 6 of this indictment, knowingly possessed and used, without lawful authority, means of identification—namely, the name, date of birth, and Social Security number—of another person.

| Count | Date | Victim |
|-------|----------|--------|
| 7 | 09/22/21 | J.F. |
| 8 | 09/30/21 | C.R. |
| 9 | 10/07/21 | C.M. |

All in violation of Title 18, United States Code, Section 1028A.

NOTICE OF FORFEITURE

Upon conviction of one or more of the offenses set forth in Counts One through Three of this Indictment, the defendant shall forfeit to the United States pursuant to 18 U.S.C.

§ 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses.

A TRUE BILL

Dated: March 21, 2022

/s/ Foreperson
FOREPERSON

JOHN J. FARLEY
UNITED STATES ATTORNEY

By: /s/ Alexander S. Chen
Alexander S. Chen
Special Assistant U.S. Attorney

John J. Kennedy
Assistant U.S. Attorney